

LAW OFFICE OF TODD D. LERAS

Todd D. Leras, CA SBN 145666

455 Capitol Mall, Suite 802

Sacramento, California 95814

(916) 504-3933

[toddleras@gmail.com](mailto:toddleras@gmail.com)

Attorney for Defendant

IAN HOFFMANN

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

IAN HOFFMANN,

Defendant.

Case No.: 2:21-cr-017 MCE

STIPULATION AND ORDER  
CONTINUING STATUS CONFERENCE  
AND EXCLUDING TIME UNDER THE  
SPEEDY TRIAL ACT

Date: March 25, 2021

Time: 10:00 a.m.

Court: Hon. Morrison C. England, Jr.

Plaintiff United States of America by and through Assistant United States Attorney Paul Hemesath, and Attorney Todd Leras on behalf of Defendant Ian Hoffmann, stipulate as follows:

1. This matter is presently set for an initial status conference on March 25, 2021. By this stipulation, Defendant Hoffmann moves to continue the status conference to May 20, 2021.

ORDER CONTINUING STATUS  
CONFERENCE

2. This case involves nation-wide distribution of controlled substances through a portion of the internet known as the dark web. Ian Hoffmann was originally arrested on charges set out in a Criminal Complaint and Supporting Affidavit in May 2019. The prosecutor first assigned to the matter negotiated a potential disposition of the case, but recently departed for a position in private practice. The defense continues to engage in investigation of sentencing mitigation information. Those efforts have been hampered due to the continuing public health crisis resulting from the virus designated as COVID-19.
3. Federal and state directives seeking to slow spread of the virus presently remain in place. These directives now appear to be easing, but they nevertheless continue to impede the defense's ability to complete mitigation investigation. Defendant Hoffmann therefore requests to continue this matter to May 20, 2021.
4. The Chief Judge for the Eastern District of California has issued a series of orders, including General Orders 612, 617, 618, 620, 624, and 628, restricting access to federal courthouses within the district since March 18, 2020. The most recent of these orders, General Order 628, issued on January 4, 2021, extended the courthouse restrictions for 90-days from the issuance date – or until approximately April 5, 2021.
5. Given the ongoing defense investigation, Defendant Hoffmann requests to continue the status conference in this matter to May 20, 2021, at 10:00 a.m., and to exclude time between March 25, 2021 and May 20, 2021, inclusive, under Local Code T-4. The United States does not oppose this request.

- 1           6. Attorney Todd Leras represents and believes that failure to grant additional time as  
2           requested would deny Defendant Hoffmann the reasonable time necessary for  
3           effective preparation, considering the exercise of due diligence.  
4
- 5           7. Based on the above-stated facts, Defendant Hoffmann requests that the Court find  
6           that the ends of justice served by continuing the case as requested outweigh the best  
7           interest of the public and the Defendant in a trial within the time prescribed by the  
8           Speedy Trial Act.  
9
- 10          8. For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, *et*  
11          *seq.*, within which trial must commence, the time period of March 25, 2021 to May  
12          20, 2021, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), and  
13          (B) (iv) [Local Code T-4] because it results from a continuance granted by the Court  
14          at Defendant Hoffmann's request on the basis that the ends of justice served by taking  
15          such action outweigh the best interest of the public and the Defendant in a speedy  
16          trial.  
17
- 18          9. Nothing in this stipulation and order shall preclude a finding that other provisions of  
19          the Speedy Trial Act dictate that additional time periods are excludable from the  
20          period within which a trial must commence.  
21

22               Assistant U.S. Attorney Paul Hemesath has reviewed this proposed order and authorized  
23       Todd Leras via email to sign it on his behalf.

24       DATED: March 22, 2021

PHILLIP A. TALBERT  
Acting United States Attorney

By /s/ Todd D. Leras for  
PAUL A. HEMESATH  
Assistant United States Attorney

27  
28       ORDER CONTINUING STATUS  
CONFERENCE

1 DATED: March 22, 2021

2 By /s/ Todd D. Leras  
3 TODD D. LERAS  
4 Attorney for Defendant  
5 IAN HOFFMANN  
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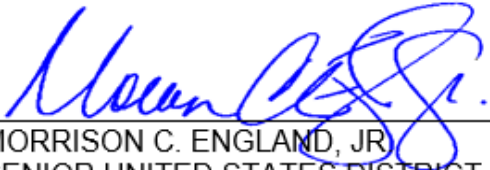
ORDER CONTINUING STATUS  
CONFERENCE

**ORDER**

BASED ON THE REPRESENTATIONS AND STIPULATION OF THE PARTIES, it is hereby ordered that the status conference in this matter, scheduled for March 25, 2021, is vacated. A new status conference is scheduled for May 20, 2021, at 10:00 a.m. The Court further finds, based on the representations of the parties and Defendant Hoffmann's request, that the ends of justice served by granting the continuance outweigh the best interests of the public and the Defendant in a speedy trial. Time shall be excluded under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(B)(iv) and Local Code T-4, to allow necessary attorney preparation taking into consideration the exercise of due diligence for the period from March 25, 2021, up to and including May 20, 2021.

IT IS SO ORDERED.

Dated: March 23, 2021

  
MORRISON C. ENGLAND, JR.  
SENIOR UNITED STATES DISTRICT JUDGE

ORDER CONTINUING STATUS  
CONFERENCE